

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS  
CENTRAL DIVISION**

**UNITED STATES OF AMERICA**

**PLAINTIFF**

**v.**

**CASE NO. 4:19-CR-00110-BSM-01**

**JOSHUA HATLEY**

**DEFENDANT**

**ORDER**

Joshua Hatley’s pro se motions to reduce sentence [Doc. Nos. 50, 51] are denied because the retroactive application of Amendment 821 to the Federal Sentencing Guidelines does not reduce his sentencing range. *See* U.S.S.G § 1.10 (a)(2). This is true because the amendment affects “status points” and Hatley did not receive “status points.” His criminal history score was seven and his criminal history category remains level IV. Additionally, Hatley’s plea agreement provides that he “waives the right to have the sentence modified pursuant to Title 18, United States Code, Section 3582(c)(2) . . . .” Doc. No. 44 at 3. Because Hatley knowingly and voluntarily entered into his plea agreement, he is not entitled to relief. *United States v. Cowan*, 781 F. App’x 571 (8th Cir. 2019) (affirming dismissal of a section 3582(c)(2) motion when the record establish that the defendant knowingly and voluntarily entered the plea agreement).

IT IS SO ORDERED this 16th day of January, 2024.

  
UNITED STATES DISTRICT JUDGE